GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:531
ANSWERED ON:24.04.2001
NANAVATI COMMISSION
JASWANT SINGH YADAV;SURESH RAMRAO JADHAV (PATIL)

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government had constituted the Nanavati Commission;

(b) if so, the details of the terms of reference of the Commission;

(c) whether the Commission has submitted its report;

(d) if not, the reasons therefor; and

(e) the time by which the Commission is likely to submit its report?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (CH. VIDYASAGAR RAO)

(a) to (e): A statement is laid on the Table of the House.

STAEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.531 DUE FOR ANSWER ON 24.4.2001

(a)&(b): Yes, Sir. The Government set up last year two Commissions of Inquiry under the Chairmanship of Shri Justice G.T. Nanavati, a retired judge of the Supreme Court of India: one, to inquire into the circumstances leading to the use of force by the police on the lawyers` demonstration held at Parliament Street, New Delhi on 24th February, 2000; and the other, to inquire into the incidents of killing of innocent Sikhs following the assassination of Smt. Indira Gandhi, the then Prime Minister, on the 31st October, 1984.The terms of reference assigned to these two Commissions of Inquiry are given below:

I Lawyers` demonstration

(i) to inquire into the facts, circumstances and events leading to the use of force by the police that is lathi charge and use of tear-gas etc. on the lawyers` demonstration held at Parliament Street, New Delhi on 24th February, 2000;

(ii) to examine and report whether the force used by the police was excessive and disproportionate and, if so, fix the responsibility on the erring police officials; and

(iii) to recommend measures that need to be taken to avoid occurrence of such incidents in future.

II 1984 Anti-Sikh Riots

(i) The Commission shall make an inquiry with respect to the following matters:

(a) to inquire into the causes and course of the criminal violence and riots targeting members of the Sikh community which took place in the National Capital Territory of Delhi and other parts of the Country on 31st October, 1984 and thereafter;

(b) the sequence of the events leading to and all the facts relating to such violence and riots;

(c) whether these heinous crimes could have been averted and whether there were any lapses or dereliction of duty in this regard on the part of any of the responsible authorities/individuals;

(d) to inquire into the adequacy of the administrative measures taken to prevent and to deal with the said violence and riots;

(e) to recommend measures which may be adopted to meet the ends of the justice;

(f) to consider such matters as may be found relevant in the course of the inquiry.

(ii) The inquiry by the Commission shall be in regard to:

(a) complaints or allegations that may be made before the Commission by any individual or association in such form and accompanied by such affidavits as may be specified by the Commission; and

(b) such instances relatable to paragraph 2
(i)(a) to (f) as may be brought to its notice either by the Central Government or the Government of National Capital Territory of Delhi or the State Governments concerned.

(c)to(e): Whereas the Commission set up to inquire into the circumstances leading to use of force by the police on lawyers` demonstration submitted its Report to the Government on 15th March, 2001, the Commission on 1984 anti-Sikh Riots is required to submit its Report by 2nd October, 2001. It has so far held fourteen public sittings and is in the process of conducting its inquiry.